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HOUSE BILL 1262 By
Bittle

SENATE BILL 1662
By Williams

AN ACT to amend Tennessee Code Annotated, Section 67-4-409
relative to the agricultural nonpoint water pollution control
fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-409(1) is amended by deleting
subdivision (1) in its entirety and by substituting instead the following:

(1) Agricultural Resources Conservation Fund. (1) One and one-half cents
(1.5¢) of the tax levied by subsection (a) shall be credited to a special agency account in
the state general fund known as the "agricultural resources conservation fund."
Expenditures from such fund shall be made only to implement and carry out the
purposes set forth in subdivision (1)(2). Funds deposited in such fund shall not revert at
the end of any fiscal year, and all interest accruing on investments and deposits of the
funds not otherwise expended shall be returned to and made a part of the fund.

SECTION 2. Tennessee Code Annotated, Section 67-4-409(1) is amended by deleting
subdivision (2) in its entirety and by substituting instead the following:

(2) The commissioner of agriculture shall expend the funds which are deposited
in the agricultural resources conservation fund for purposes of promoting and
establishing management practices that conserve and protect soil, water, air, and other
resources associated with agricultural production. The commissioner of environment and
conservation, commissioner of agriculture and the director of the Wildlife resources

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agency shall jointly establish priorities for the appropriate allocation of funds deposited in the agricultural resources conservation fund. No project shall receive any such funds unless each such official has approved such expenditure. The commissioner of agriculture may promulgate regulations to implement this subsection.

SECTION 3. Tennessee Code Annotated, Section 67-4-409(1) is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) Expenditures from the agricultural resources conservation fund shall be made for the promotion and implementation of agricultural management practices which conserve and protect natural resources associated with agricultural production including but not limited to soil, water, air, plants and animals. The commissioner of agriculture may spend up to five percent (5%) of the annual appropriations from this fund on education of landowners, producers and managers concerning conservation and protection practices. No more than ten percent (10%) of the fund may be used for management costs associated with the administration of grants and/or technical assistance to accomplish the purposes of the fund.

SECTION 4. Tennessee Code Annotated, Section 67-4-409(m)(1) is amended by deleting subdivision (C) in its entirety and by substituting instead the following:

(C) By February 1 of every odd-numbered year, beginning in 1999, the commissioner of agriculture shall file with the senate environment, energy and natural resources and the commerce, labor and agriculture committees and the house agriculture and conservation and environment committees a report detailing expenditures made from the agricultural resources conservation fund.

SECTION 5. Tennessee Code Annotated, Section 67-4-409(m)(2) is amended by deleting subdivision (B) in its entirety and by substituting instead the following:

(B) Once every five (5) years, beginning in 2002, the commissioner of agriculture shall reevaluate the progress and accomplishments of the agricultural

resources conservation fund and shall incorporate the conclusions and recommendations of such reevaluation into a written plan. This plan shall be submitted to the senate environment, energy and natural resources and commerce, labor and agriculture committees and the house agriculture and conservation and environment committees which shall hold public hearings on the plan.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.